

111TH CONGRESS
1ST SESSION

H. R. 4358

To amend the Child Care and Development Block Grant Act of 1990 to improve access to high-quality early learning and child care for low-income children and working families, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 16, 2009

Ms. BALDWIN introduced the following bill; which was referred to the
Committee on Education and Labor

A BILL

To amend the Child Care and Development Block Grant Act of 1990 to improve access to high-quality early learning and child care for low-income children and working families, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Starting Early Start-
5 ing Right Act”.

6 **SEC. 2. FINDINGS AND PURPOSES.**

7 (a) FINDINGS.—Congress makes the following find-
8 ings:

1 (1) Children in child care learn and develop
2 skills they need to succeed in school and in life.
3 Child care is also fundamental to helping families
4 get ahead by giving parents the support and peace
5 of mind they need to be productive at work.

6 (2) Child care teachers and providers carry the
7 responsibility of providing a safe, nurturing, and
8 stimulating setting for children entrusted to them
9 each day.

10 (3) In 2008, the national average wage for a
11 child care worker was \$9.79 per hour or \$20,350
12 annually. For full-time, full-year work, this is not
13 much above the 2008 poverty guidelines of \$17,600
14 for a mother with two children.

15 (4) As a result of low wages and limited bene-
16 fits, many child care providers do not work for long
17 periods in the child care field. Only 65 percent of
18 those employed in the child care field in 2005 were
19 still working in child care in 2006. Such high turn-
20 over rates deny children consistent and stable rela-
21 tionships with their teachers.

22 (5) Current reimbursement rates for child care
23 providers receiving Federal funds are insufficient to
24 recruit and retain qualified child care providers and

1 to ensure high-quality early care and education serv-
2 ices for children.

3 (6) Research shows that high-quality child care
4 helps low-income children enter school ready to suc-
5 ceed. One study found that children who had en-
6 rolled in high-quality child care demonstrated great-
7 er mathematical ability and thinking and attention
8 skills, and experienced fewer behavior problems than
9 other children in second grade. Effects were particu-
10 larly strong for low-income children.

11 (7) Millions of low-income children could benefit
12 from high-quality child care. In 2008, 11,100,000
13 children under age 6 (44 percent) lived in low-in-
14 come families (families with incomes below 200 per-
15 cent of poverty).

16 (8) Inadequate funding has reduced the number
17 of children with access to child care. Only about 1
18 in 7 eligible children receives Federal child care as-
19 sistance.

20 (9) Many women work in low-wage jobs and
21 cannot cover the cost of child care. For example,
22 two-thirds of working poor families headed by single
23 mothers who paid for child care spent at least 40
24 percent of their cash income on child care.

1 (10) Problems with child care can make it dif-
2 ficult for parents, particularly low-income parents, to
3 work, causing them to lose wages, be denied a pro-
4 motion, or lose their jobs.

5 (11) Research shows that single mothers and
6 former welfare recipients who received child care as-
7 sistance were much more likely to remain employed
8 after 2 years than those who did not receive child
9 care assistance.

10 (12) Quality affordable child care is essential to
11 creating and preserving jobs. First, it maintains and
12 increases employment opportunities for child edu-
13 cators. According to the Bureau of Labor Statistics,
14 3 occupations—preschool teachers, teacher assist-
15 ants, and child care workers—account for 77 per-
16 cent of all wage and salary jobs in the United
17 States. Second, child care enables parents to keep
18 and maintain their jobs while ensuring that their
19 children can access educational opportunities. A
20 2008 study showed that, by making it possible for
21 parents to work, the licensed child care sector allows
22 Americans to earn more than \$100,000,000,000 an-
23 nually.

24 (b) PURPOSE.—The purpose of this Act is to im-
25 prove—

1 (1) access to high-quality early learning and
2 child care for low-income children and working fami-
3 lies; and

4 (2) the quality of child care and the number of
5 high-quality child care providers.

6 **SEC. 3. AMENDMENTS TO THE CHILD CARE AND DEVELOP-**
7 **MENT BLOCK GRANT ACT OF 1990.**

8 (a) AUTHORIZATION OF APPROPRIATIONS.—Section
9 358B of the Child Care and Development Block Grant Act
10 of 1990 (42 U.S.C. 9858) is amended by striking “is” and
11 all that follows through “2002”, and inserting “are au-
12 thorized to be appropriated to carry out this subchapter
13 \$4,127,181,000 for fiscal year 2010 and such sums as
14 may be necessary for each of fiscal years 2011 through
15 2014”.

16 (b) APPLICATION AND PLAN.—Section 658E(c) of
17 the Child Care and Development Block Grant Act of 1990
18 (42 U.S.C. 9858c(c)) is amended—

19 (1) in paragraph (2)—

20 (A) in subparagraph (E)—

21 (i) redesignating clause (ii) as clause

22 (vi); and

23 (ii) by inserting after clause (i), the
24 following:

1 “(ii) SITE VISITS.—Certify that the
2 State has in effect licensing requirements
3 applicable to all licensed and regulated
4 child care providers within the State that
5 include one annual announced and one an-
6 nual unannounced visit to each site at
7 which the provider provides child care serv-
8 ices. Nothing in the preceding sentence
9 shall be construed to require that licensing
10 requirements be applied to specific types of
11 providers of child care services.

12 “(iii) TRAINING.—Certify that the
13 State has in effect licensing or registration
14 requirements applicable to child care pro-
15 viders within the State that require, within
16 3 years of the date of enactment of the
17 Starting Early Starting Right Act, that
18 every lead teacher or aide of the provider,
19 and each family child care provider, in a li-
20 censed and regulated setting—

21 “(I) have at least 40 hours of ap-
22 propriate health, safety, and child de-
23 velopment training prior to their em-
24 ployment with or operation as a pro-
25 vider (as determined in accordance

1 with guidelines to be issued by the
2 Secretary); and

3 “(II) have at least 24 hours of
4 annual training in appropriate health,
5 safety, and child development training
6 (as determined in accordance with
7 guidelines to be issued by the Sec-
8 retary).

9 “(iv) OTHER TRAINING.—Certify that
10 the State has a plan to implement, within
11 3 years of the date of enactment of the
12 Starting Early Starting Right Act, pre-
13 and in-service training requirements appli-
14 cable to child care providers that provide
15 services for which assistance is made avail-
16 able under this subchapter.

17 “(v) TRAINING FOR LIMITED-
18 ENGLISH-PROFICIENT (LEP) PROVIDERS.—
19 Certify that the State has a plan to pro-
20 vide for the training of child care service
21 providers with limited-English proficiency
22 to provide high-quality child care serv-
23 ices.”;

24 (B) in subparagraph (H)—

1 (i) by striking “Demonstrate the man-
2 ner” and inserting the following:

3 “(i) IN GENERAL.—Demonstrate the
4 manner”; and

5 (ii) by adding at the end the fol-
6 lowing:

7 “(ii) SPECIFIC NEEDS.—Demonstrate
8 the manner in which the State will meet
9 the specific child care needs of low-income
10 and working families, including—

11 “(I) the outreach strategies to be
12 used to reach hard-to-serve children,
13 including low-income children, English
14 language learners, children with spe-
15 cial needs, and children in rural areas;

16 “(II) the use of contracts with
17 child care centers, family child care
18 homes, and organizations that manage
19 and support family child care net-
20 works to reach hard-to-serve children
21 and underserved communities;

22 “(III) the use of pilot or dem-
23 onstration projects to increase the
24 supply of high-quality child care in
25 underserved communities;

1 “(IV) the use of pilot or dem-
2 onstration projects that demonstrate
3 effective techniques and approaches of
4 specialized training for child care
5 service providers with limited-English
6 proficiency to improve their ability to
7 provide high-quality child care serv-
8 ices; and

9 “(V) the use of pilot or dem-
10 onstration projects that demonstrate
11 effective techniques and approaches of
12 specialized training for child care pro-
13 viders working with children with de-
14 velopmental disabilities.”; and

15 (C) by adding at the end the following:

16 “(I) CONTINUOUS CARE.—Demonstrate
17 how the State is implementing practices and
18 procedures to help ensure that children receive
19 continuous care from the same provider, includ-
20 ing through—

21 “(i) the use of contracts with child
22 care centers, family child care homes, and
23 organizations that manage and support
24 family child care networks for underserved
25 populations;

1 “(ii) extending periods of redetermina-
2 tion for all families to 1 year;

3 “(iii) extending periods of job search
4 eligibility; and

5 “(iv) informing families and providers
6 that eligibility is ending in a timely man-
7 ner and in multiple formats.”; and

8 (2) in paragraph (4)—

9 (A) by redesignating subparagraph (B) as
10 subparagraph (D); and

11 (B) by inserting after subparagraph (A),
12 the following:

13 “(B) IN GENERAL.—The State plan shall
14 provide information demonstrating that the
15 State is ensuring that payment rates for the
16 provision of child care services for which assist-
17 ance is provided under this subchapter are
18 equal to or exceed the 75th percentile of the
19 current market rate for all types of child care,
20 based on a research-based market rate survey
21 that includes variations for geography, age of
22 children, and provider type.

23 “(C) CHILD CARE FOR UNDERSERVED
24 POPULATIONS.—The State plan shall describe
25 efforts to address the need for child care for

1 special populations, including care in low-in-
2 come and rural areas, care for infants and tod-
3 dlers, care for children with special needs, care
4 for other populations, and care during non-
5 standard hours, such as paying rates for the
6 provision of child care services for which assist-
7 ance is provided under this subchapter that ex-
8 ceed the 75th percentile of a current market
9 rate for all types of care (based on the survey
10 under subparagraph (B)).”.

11 (c) ACTIVITIES TO IMPROVE THE QUALITY OF CHILD
12 CARE.—Section 658G of the Child Care and Development
13 Block Grant Act of 1990 (42 U.S.C. 9858e) is amended
14 to read as follows:

15 **“SEC. 658G. ACTIVITIES TO IMPROVE THE QUALITY OF**
16 **CHILD CARE.**

17 “(a) DEFINITION.—For the purposes of this section,
18 the term ‘Quality Rating and Improvement System’ means
19 a system with no less than 3 levels for benchmarking qual-
20 ity, designated and implemented in collaboration with
21 community and statewide partners, for rating and improv-
22 ing licensed or regulated child care and other early child-
23 hood education programs and providers (including after-
24 school programs and providers), for providing families
25 with better information about the quality of child care and

1 early education programs and providers, for improving the
2 quality of early care and education (including after-school
3 programs) throughout the State, and for providing finan-
4 cial and other incentives, assistance, and rewards to pro-
5 grams and providers to meet and sustain higher levels of
6 quality.

7 “(b) IN GENERAL.—A State that receives funding to
8 carry out this subchapter for a fiscal year, shall use not
9 less than 15 percent of the amount of such funds for ac-
10 tivities that are designed to improve the quality of child
11 care, including the implementation of 2 or more of the
12 following:

13 “(1) Developing and implementing a Quality
14 Rating and Improvement System (referred to in this
15 section as the ‘QRIS’) for child care centers and
16 family child care homes, including criteria appro-
17 priate for each age group eligible for assistance
18 under this Act with levels that lead to nationally rec-
19 ognized high standards.

20 “(2) Providing assistance for education, train-
21 ing, and compensation initiatives to assist child care
22 providers in meeting and maintaining the criteria for
23 achieving progressively higher rating levels under the
24 QRIS.

1 “(3) Providing grants and other types of assist-
2 ance, including mentoring, to assist child care pro-
3 viders in meeting and maintaining the criteria for
4 achieving progressively higher rating levels under the
5 QRIS.

6 “(4) Maintaining a statewide network of child
7 care resource and referral programs.

8 “(5) Inspecting and monitoring child care pro-
9 grams.

10 “(6) Providing grants to assist child care pro-
11 viders, including those who are limited-English-pro-
12 ficient, in becoming licensed or regulated and in
13 meeting pre-service and ongoing training require-
14 ments.

15 “(7) Offering other assistance to child care pro-
16 viders to strengthen the quality of child care, includ-
17 ing support for education and training initiatives
18 tied to compensation.

19 “(8) Providing grants to assist child care pro-
20 viders who are not required to be licensed or reg-
21 istered in receiving appropriate training and sup-
22 port.

23 “(9) Developing and implementing technological
24 resources to assist low-income families in applying
25 for child care assistance as well as to educate fami-

1 lies concerning the range of and quality ratings of
2 various child care providers.

3 “(c) EXTENSION FOR FULL-DAY CARE.—A State
4 that receives funding to carry out this subchapter for a
5 fiscal year, shall use not less than 5 percent of the amount
6 of such funds for activities that are designed to fund ac-
7 tivities to extend the day or year for those children who
8 are eligible for child care services and attend part-day or
9 year programs.

10 “(d) HIGH-QUALITY CARE FOR INFANTS AND TOD-
11 DLERS.—A State that receives funding to carry out this
12 subchapter for a fiscal year, shall use not less than 30
13 percent of the amount of such funds for activities that
14 are designed to fund initiatives to improve the quality and
15 expand the availability of high-quality care for infants and
16 toddlers.”.

17 (d) REPORTING REQUIREMENTS.—Section 658K(a)
18 of the Child Care and Development Block Grant Act of
19 1990 (42 U.S.C. 9858i(a)) is amended by adding at the
20 end the following:

21 “(3) BI-ANNUAL REPORTS.—Not later than De-
22 cember 31, 2009, and every 2 years thereafter, a
23 State that operates a Quality Rating and Improve-
24 ment System (referred to in this section as the

1 ‘QRIS’) shall prepare and submit to the Secretary a
2 report that includes aggregate data concerning—

3 “(A) the number of licensed center and
4 family child care providers in the State;

5 “(B) the number of child care providers in
6 each level of the State QRIS, listed by type,
7 race and ethnicity, geographic area of the State,
8 and number of children that each such provider
9 is licensed to serve;

10 “(C) the disaggregated number and per-
11 centages of children receiving child care assist-
12 ance under this subchapter in each level of the
13 State QRIS;

14 “(D) whether any change occurred in the
15 number and percentage of child care providers
16 in each level of the State QRIS, listed by type,
17 geographic area of the State, and number of
18 children each such provider is licensed to serve;

19 “(E) the disaggregated number and per-
20 centage of children receiving child care assist-
21 ance under this subchapter who are receiving
22 care from child care providers in a higher-qual-
23 ity level (as determined under the State QRIS)
24 as compared to the previous 12-month period;

1 “(F) the disaggregated number of child
2 care providers in low-income communities who
3 have moved up to a higher-quality level of child
4 care (as determined under the State QRIS) as
5 compared to the previous 12-month period; and

6 “(G) the average child care reimbursement
7 rate under this subchapter at each level of the
8 State QRIS, listed by provider type, race and
9 ethnicity, and geographic area of the State.

10 “(4) 5-YEAR REPORT.—Not later than Decem-
11 ber 31, 2013, and every 5 years thereafter, a State
12 described in paragraph (1)(A) shall prepare and sub-
13 mit to the Secretary a report that includes aggregate
14 data concerning the average individual compensation
15 paid for each of the following in all licensed child
16 care programs, disaggregated by race, ethnicity, cre-
17 dentials, and program type in the State:

18 “(A) Lead teacher.

19 “(B) Classroom assistant or aide.

20 “(C) Family child care provider.

21 “(D) Family child care assistant.”.

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